From: pjm@spe.com@inetgw
To: Microsoft ATR
Date: 12/10/01 7:52am
Subject: Microsoft Settlement

Dear Sirs,

The proposed resolution to the Microsoft anti-trust case will not accomplish the ostensible goal of increasing competition in the markets that Microsoft dominates. The primary problems are that the proposed solution allows Microsoft to spread its software into schools and that encouraging the use of Microsoft's APIs will actually increase their ubiquity. A far better solution is to simply require Microsoft to provide the details of their proprietary file formats, thereby allowing real competition to arise.

Allowing Microsoft to give software to schools must delight the Microsoft board of directors. Not only is Microsoft allowed to set the value of their donations, it is provided with access to an untapped market segment. This proposed solution will have the effect of training children in the use of Microsoft products, making it much more likely that they'll choose to use them in the future. If the settlement is to include a donation to schools, Microsoft software should not be included in the package. Microsoft should provide the hardware bundled with Open Source software such as Linux.

Requiring Microsoft to license its APIs will not result in greater competition. Microsoft's operating system dominance is not due to the quality of its various versions of Windows, but to the fact that their business applications run primarily on Windows. These applications, including Word, Excel, and PowerPoint, store their information in proprietary file formats. Companies and individuals cannot use alternative applications because they cannot read and write these formats. If the goal is to encourage competition on the desktop, forget about the APIs and require full public disclosure of all file formats used by all Microsoft products past, present, and future.

The proposed remedy is going to cause far more harm than good. Please reconsider your actions.

Regards,

Patrick May

S P Engineering, Inc. | The experts in large scale distributed OO
| systems design and implementation.
pjm@spe.com | (C++, Java, ObjectStore, Oracle, CORBA, UML)